









# THE CRIME AND THE CRIMINAL.

BY RICHARD MARSH.

CHAPTER XXXI.

THE CASE FOR THE CROWN CONCLUDED.

After that the court adjourned till to-morrow. Mr. Alexander Taunton's performance wound up the programme of the day's entertainment—as it appeared to me—with adequate spirit.

At the time or hotel or whatever they called it, at which I was stopping, everyone was talking of the trial. The chambermaid, who waited on me at dinner, could talk of nothing else. She went glibly on about the time that she was in the room, and it seemed to me that she stopped in the room as much as she possibly could.

Her manners, if rustic, were familiar. She had witnessed Tommy's arrival at the court.

A dreadful-looking wretch I never saw. It gave me quite a feeling to look at him. He's got pig's eyes. And cruel! There was cruelty all over him!

Poor Tommy! She must have had an insufficient view, or else was prejudiced. A middle-aged man was never so carried away by having out a threat, nor I verily believe, a tender-hearted one.

"And they tell me his wife was in court. I never! She must be a one! I have known her since she was a child. I know that she must be almost as bad as he is, or she would never have dared to show her face."

Also for the rarity of Christian charity! Dear, dear, how these Christians do love each other! To think that that sweet-faced, true-hearted woman should have been spoken of like that!

"They're sure to hang him, that's my comfort. I think it's a shame they don't hang him out of hand, without making all this fuss about it. I think such creatures ought to be hung directly they catch 'em."

"Before ascertaining if they are guilty."

"He's guilty, safe enough. The wretch!"

Well, of course, she knew best. Still, what a funny world it is.

At dinner I ordered a bottle of wine. The landlord brought it up himself, as an excuse for a gossip. He was a shrewd little man, about sixty, in appearance not at all like the typical Boniface.

"I thought that I should have been in the jury. But I was on the jury yesterday instead. There are two cousins of mine who are sure to be sworn on their shoulders both of them."

"Indeed? Will you have a glass of wine?"

"Thank you, ma'am, you're very kind. I don't mind if I do." He did not mind.

"I can recommend this port wine. I've had it in my cellar over twenty years. Your very good health, ma'am. Yes. He shook his head. "Neither of them holds with this chap's little game." I had not the faintest notion to what little game he alluded.

"I saw you in court, ma'am. Might I say you're interested in any of the parties?"

"Not at all. I am an American. While I was staying in England I thought that I would not lose an opportunity of seeing one of your great trials."

"This is a great trial, this is. It won't soon be forgotten. Do you think he's guilty?"

"Do you?"

"Well, what I say is just this. I wouldn't be looked up alone with a strange woman in a railway carriage all the way from Brighton to London, not for any amount of money."

"You are flatterer."

"I don't mean nothing—not at all. Only, in this case, how are we to say what happened. He seems to be a decent kind of chap. She might have been a lady, but she has been a rumpus. She might have tried to get away from her, she might have fallen upon the line. How is anyone to tell?"

My friend, the landlord, in spite of his somewhat unpromising appearance, seemed to be one of the few decent persons I had recently encountered. I pressed him to take another glass of wine. He yielded to the pressure.

"Don't you think they'll find him guilty, then?"

"Oh, they'll find him guilty, safe enough. That's just the best of it. When a chap gets mixed up with a woman in a thing like this they're sure to follow the worse of him. But it doesn't follow that he did it, or the more for that. As for that chap Taunton, I'd hang him, but he's a gentleman. He had good cause to congratulate himself on the possession of such a relative. He seemed to be held in general esteem."

When the court re-opened the next day, I changed my seat. I had taken careful note of the result had been that I came to one or two conclusions. I perceived, for one thing, that one might very easily sit upon the bench and yet preserve one's anonymity. I wore a cloak, kept my veil down, sat on the back row, and kept myself as much as possible in the shade.

The place was, if anything, more crowded than ever. It was understood that the trial was to conclude in the course of the day. Perhaps that proved an extra attraction. Anyhow, I was uncomfortably crowded on the bench, and the court, as a whole, was as full as it could be. I wondered how much—in a theatrical sense—the house was worth to someone; say the author.

The judge came in. Then Tommy. Let him have a chair. I had a good look at him. He had a month's growth of hair upon his cheeks and chin. But

he looked better than I expected—and braver. His wife sat in front of him, as she had done the day before. She turned as he came in, and greeted him with a smile. Such a brave one!

Without a suspicion of a tear! He smiled back at her.

Poor dear! Their smiling days were nearly done.

When he was seated, and had recovered from the excitement of his entry, after all, the expression began to creep into his face, which I had expected to see there all along. The expression of stupor, of mental paralysis, of shame, of horror at the position in which he found himself, and at the things which were to come.

Poor, dear Tommy! He looked, to me, as if there was no light left in him.

I need not have feared his recognition. He never looked at anyone. He just glanced, now and then, at his wife, and then at the woman who came into his face something which was a curious co-mingling of pleasure with pain. But, with the exception of Mrs. Tennant, I doubt if he clearly realised the personality of any other creature there.

Two witnesses called was a man named Stephen Rodman. He said that he was a "tapper," which, I suppose, had something to do with railway work, though I don't know what.

Early on the morning of Monday, Nov. 9, he was walking in the six-foot way at the railway station at Victoria Station. He saw a handkerchief lying on the ground. He picked it up. It was soaked with blood, and was still damp.

In the corner was a name, "T. Tennant." The £40 from Brighton had been drawn up at that platform the night before. Sir Haselton Jardine's witness was a handkerchief—still unwashed. That was the one he found.

Jane Parsons followed, actually the girl who had been in Mrs. Tennant's service, and who had applied for my attention at the railway station. She was sitting the rope round Tommy's neck as if they did not mean to leave him a loop-hole of escape. I wondered what she had to say.

Not much. She began by showing an inclination to cry, which inclination she presently gave way to. She said that she had seen the handkerchief which she had picked up in the shape and size of a penny ball.

She was a parlour maid. Had been, till recently, in Mrs. Tennant's service. Remembered Nov. 8. Mr. Tennant went to spend the day at Brighton. Miss Minna was not well, so Miss Mary stayed to nurse her. Admitted Mr. Tennant on his return. He was pretty late. After eleven. Mr. Tennant did not seem to be himself. He had been drinking. There was a great out on his cheek. Helped him off with his overcoat. It was all torn and rumpled about the collar. The top button had been torn right off, and a piece of cloth torn with it. It was spotted with blood.

Shown an overcoat, recognised it as the overcoat which Mr. Tennant had worn. His collar and tie were disarranged. As a rule, he was a most particular gentleman about his clothes.

Mr. Bates asked a question or two. Had been in Mrs. Tennant's employ more than two years. Mr. Tennant was a very good master—no one could want a better. Lived a quiet, regular life. Was very fond of his wife, and of his child. Made a perfect idol of his little girl.

At this point poor Tommy covered his face with his hands. He had ever done it, and she never would—she didn't care what nobody said. This statement was volunteered, amidst a burst of sobbing. Mr. Tennant was very nervous. They used to make a joke of it in the kitchen. The least thing put him off. She meant that he was a tender and a kind master, and a gentle and a kind master, and she didn't believe that, willingly, he would hurt a fly. Jane's tears burst forth afresh.

Mr. Bates sat down.

The detective who had arrested Tommy next appeared. His name was Matthew Holman. He was a shrewd, grey-headed, red-headed, not unkindly man, looking more like a sailor than anything else. His evidence was purely out and dried, and formal. Prisoner had made no statement on being arrested. All efforts to trace the identity of the woman had been unsuccessful. Mr. Bates allowed the witness to depart unquestioned.

The medical evidence which followed revived the flagging interest. It roused Tommy more than anything which had gone before. As well it might.

Two doctors were called. The first was a country doctor. A middle-aged man, with a fatherly sort of manner, and something of the milk of human kindness about his mouth, and in the twinkling of his eye. His name was Gresham.

Dr. Gresham had examined the body twice. First at the Three Bridges, afterwards in the mortuary at East London. The first occasion was between 9 and 10 on the morning of Monday, Nov. 9. Life had been extinct some hours, probably twelve.

The body was that of a well-nourished healthy young woman, probably under twenty-one years of age.

Certainly no doctor could have mistaken me for under one and twenty. She was far advanced in pregnancy. Tommy started again. I fancied that Mrs. Tennant started too.

The cause of death was strangulation.

Tommy started more and more. Leaning over the rail of the dock, he stared at the witness with all his eyes.

He was sure of it. He had no doubt upon the point whatever. Unfortunately there was no room for doubt. She had been killed by the pressure of a man's hands and fingers were most distinct. Indeed, so distinct, that a man's hands and fingers were most distinct. Indeed, so distinct, that a man's hands and fingers were most distinct.

When first he saw them they amounted almost to a model of a body, such as might be caused by a fall. There was a livid bruise which ran from shoulder to shoulder across the back. It had probably been caused by pressure of a man's hands and fingers were most distinct. Indeed, so distinct, that a man's hands and fingers were most distinct.

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Tommy and Mr. Bates had quite a long confabulation. Tommy seemed half beside himself with excitement. I very well knew why! It would have been of that Mr. Bates did not seem very much impressed.

Still, acting, no doubt, on his client's strenuous instructions, he subjected the doctor to a rigorous cross-examination.

But it was all in vain.

Poor Tommy! He first of all suggested, as it were, casually, that the woman was more than one and twenty. The doctor did not think it possible. Everything went to show that she was not. Then, after some fencing, he tried to induce the doctor to admit that the woman might have been strangled after she had fallen from the train. That she might have fallen from the train by accident. Been stupefied by the fall, and, on recovering from her stupor, that some one might have come along and strangled her. The doctor would have none of it. He deemed the thing incredible. Mr. Bates hammered away, but the doctor held his own.

Tommy was done!

He was done still more when it came to the second doctor's turn. He was a Dr. Braithwaite, a great swell from London. He had examined the body at East Grinstead. He corroborated all that Dr. Gresham had had to say, putting things, if anything, a little stronger against poor Tommy. He declined to move a hair's breadth from his fixed conviction that the woman had been strangled.

When the box ever creature who was aware that—unless something amounting almost to a miracle intervened—Tommy's fate was sealed.

Sir Haselton Jardine, half rising from his seat, announced that that was the case for the crown.

CHAPTER XXXII.

MR. CANNON'S SPEECHES.

Sir Haselton Jardine's was as deadly as it very well could have been. He was not a bit of an orator. He reminded one of an automatic figure as much as anything, as if he had been wound up to go.

He went quietly, in the same plain, passionless way, whistling, but as clear as a bell. One never lost a syllable he uttered. He never faltered or stumbled. The words, as they flowed from him, were exactly adapted to the meaning they were intended to convey. He fitted them together with the dexterity of an artist in mosaic.

One began almost to feel that one was listening to the voice of doom.

He recounted the story. He observed that it did not appear to be disputed that the prisoner had travelled in the same compartment with the woman who was dead. He did not know what the defence would say. But, if it was intended to suggest that death had been the result of accident, he asked the attention of the jury to the medical evidence. It was shown by that death had not been caused by falling from the train. The woman had been strangled—strangled by a man's two hands. The degree of violence which had been used not only inevitably suggested premeditation, but, also, great resolution in carrying out what had been premeditated, and he did kill.

They could not say, with certainty, what happened after the train left Brighton. A feature of the case was that the efforts of the police had failed in establishing the prisoner's identity. So far as they could discover, she was nameless. No one had come forward to claim her, to say who she was. She seemed to have come from nowhere. No one seemed to have missed her when she was gone. He did not say if the prisoner had been in his power to supply them with the key to that mystery. Men live double lives. The witness Taunton had told them that what he had heard had caused him to conclude that the prisoner was a woman of the department were acquaintances. That might have been the case. In that connection he would merely remark—that the prisoner was a married man; that the woman was young and pretty; that she was far advanced in pregnancy; that she was not a wedding ring.

In these facts they might, possibly, find a motive for the crime.

A great crime had been committed. A young woman, scarcely more than a girl, who would shortly have become a mother, had been killed. So far as one could perceive, there were no palliating circumstances. It was the other way. The crime was the act of a coward, as well as of a criminal. He did not desire to press the case unduly against the prisoner. It was his duty to do so, as he had been presented were not adequate to bring the crime home to him. If they deemed them inadequate, then, without showing fear or favour, it was their duty to say so.

Sir Haselton Jardine sat down.

And Mr. Bates got up.

Mr. Bates began by remarking that he did not propose to call any witnesses for the defence.

Then, in that case, in view of the body of evidence which had been called for the other side, Tommy's goose was cooked, and he might as well keep still. A general movement which took place in the court seemed to be a voiceless expression of this consensus of opinion.

Mr. Bates said that, in taking this course, he was almost overwhelmed by a sense of responsibility, that he was chiefly owing to the fact that the law of England was still in such a state that the prisoner could not go into the box and testify. He was exceedingly anxious to give his testimony; but it could not be received as evidence. He had spoken out at first, he might have been probably, would not, have been in the position which he was occupying now. But he had shrunk from the course which a wiser man would have pursued—shrunk from it for reasons which were natural enough. He was not a man to be bound to say what he thought, but he was bound to say what he knew. Now, it was too late. His voice could not be heard.

It was his duty, as the prisoner's advocate, to lay before the jury the prisoner's story.

Then Mr. Bates told what had really happened, and told it very well indeed. His story was as clear and as true as I did not detect a single discrepancy. I think I should have done! He was frank almost to a fault. He nothing extenuated; nothing set down in malice. Nothing was omitted—even the dotting of the i's.

And yet I doubt if a soul in court, with any exception, perhaps, of Tommy's wife, believed a word he said.

To me, listening up there, the thing was inconceivably funny.

The chief difficulty which Mr. Bates had to contend with—as he owned, and as one perceived without his owning it—was the medical evidence. He admitted that it was difficult to reconcile it with the prisoner's story. The prisoner declared that he did not touch her with the touch of a surprise.

His theory was that the woman had been strangled by her fall from the train. As she was unconscious, or before she had recovered, some strangerling vagabond had found her lying on the bank. He had robbed her, and he had murdered her. He had had to add murder to robbery. The prosecution did not laid stress upon the point, but she evidently had been robbed. There was not the slightest tittle of evidence to connect the prisoner with the robbery; he was completely innocent of it. On the other hand, there was complete absence of motive, and the fact that nothing of any sort could have belonged to the dead woman had been found in the possession of the prisoner.

He admitted that the suggestion that murder had been committed after the fall from the carriage was well worthy the attention of the jury.

The prisoner made a mistake—which, however, he submitted, was the mistake which we might naturally have expected if the Crown had been wise not to dwell upon it. On the other hand, there was complete absence of motive, and the fact that nothing of any sort could have belonged to the dead woman had been found in the possession of the prisoner.

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## THE GARDEN.

(WRITTEN SPECIALLY FOR "THE PEOPLE.")

THE GARDEN IS A VERY IMPORTANT part of the house. It is the best place for the family to be in during the summer months. It is the best place for the family to be in during the summer months.

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at any rate from the naturalist's point of view, but the difficulty is how

It will be interesting to see "As You Like It" again at the St. James. It was last seen there during the régime of Mrs. Langtry, who, a member, herself played Rosalind the Orlando of Mr. Cantley Touchstone of Mr. Sugden, the Ja of Mr. Bouchier, the Adam of Everill, and the Audrey of Marion Lea. On that occasion Masque of Hymen was performed is usually omitted.

This was in 1890. Five years before "As You Like It" had been done

Thanks to the Aylmans Committee of the London County Council, Mr. Clifford Smith, their engineer, the Thames Angling Preservation Society was enabled to hold the annual Horton Manx Empson Commemorative Tournament on Tuesday last, by which a quantity of good stock fish, carp, tench, pike and a few roach, were added to the river. The Thames Conservancy, through the kindness of Mr. George Smith, their secretary, provided the steam launch Alexandria, and the work, which was of a most difficult character, not lightened by the strong wind, was successfully carried through. The arrangements were in the hands

Very bad news is it that owing to failure of crops Northern India is threatened with famine. The Government, of course, to meet the need of food is brought from other parts of the vast peninsula, but unless it is distributed gratis or in exchange for relief labour, little good can result. It is, then, from the financial standpoint that this coming misfortune is to be feared. It is to be feared because of the unstable condition of the Indian Exchequer, which is no light matter, have to accept the additional responsibility of keeping many millions of people from starvation for a long and ample period.

But, anyhow, it has certainly  
pened" again, only more so. It  
be a record year, and it is better  
than ever. I see by the Bo  
Trade report for last month the  
average of over 100 skilled trades  
reporting to the Labour Depart  
show only 3 per cent. returned

As for the listless one, he forth—or fifth; we are always meet these old friends; we know them so long!—with so ambitious companions who do desire to go more than 10 miles a and could not go 12 if they try he plays the brake to the wheel

lot of

are to have 2 West-end parties  
this year, after all. Dry

The "Ulverston Advertiser"

th the advent of the chi

["William Stanlock, V.C., who  
through the whole of the Crimean cam

20 Ladies and Gent's, manufact  
American B. H. O. Co., Philadelphia; an  
Smith & Everett and Son St. Martin's

**SCHOOL** DEPUTY, 134, King's-road, 5, Box  
S.W. Riding safely and t  
Taught. Cycles for Gents, Lad

**YOU CAN PURCHASE  
"SWIFT" SAFETY.**

**THE COVENTRY MACHINISTS' CO.**  
15 and 16, HOLBORN VIADUCT

—

**BEECHAM'S PILLS**  
FOR BILIOUS AND  
**BEECHAM'S PILLS**

**BREATH'S PILLS**  
HAVE SAVED THE  
LIVES OF THOU

**ENSURE ASSIMILATION OF**

**BRECHAM'S PILLS**  
FOR DIZZINESS

**BEECHAM'S PILLS**  
RESTORE THE AP

**BEECHAM'S PILLS**  
GIVE TONE TO THE

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